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FISCAL IMPACT STATEMENT

LS 6696

BILL NUMBER: SB 593

NOTE PREPARED: Jan 9, 2013

BILL AMENDED:

SUBJECT: Eligibility for Parole.

FIRST AUTHOR: Sen. Broden

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that certain individuals who are serving a sentence for multiple felonies or multiple life sentences are eligible for parole after serving 30 years.

Effective Date: July 1, 2013.

Explanation of State Expenditures: Being eligible for a parole hearing does not guarantee that an offender will be released on parole.

LSA identified 30 offenders who could be eligible for parole under this statute, effective January 1, 2013. The Department of Correction (DOC) could save as much as \$383,250 if all 30 are released on parole.

Criteria for Determining Eligible Offenders – The bill uses five criteria to determine eligibility for parole:

- The offender must be sentenced for crimes under the indeterminate sentencing statute.
- There must be more than one felony.
- None of the felonies can be a sex crime (IC 35-42-4).
- The offender must have more than one term of life without parole.
- The offender must have completed 30 years of time served on the sentences.

Background – IC 11-13-3-2 applies to offenders who have been sentenced prior to 1977 and are confined indefinitely. Currently, these offenders would not be eligible for parole. If the exception is made for these

offenders, then the Parole Board would review their records. The Parole Board would determine whether the inmate has been rehabilitated and has suitable plans that would warrant discharge from custody.

Prior to a hearing, the Parole Board would order an investigation of the offender and collect the following information (IC 11-13-3-3(b)):

- (1) Reports regarding the person's medical, psychological, educational, vocational, employment, economic, and social condition and history;
- (2) Official reports of the person's history of criminality;
- (3) Reports of earlier parole or probation experiences;
- (4) Reports concerning the person's present commitment that are relevant to the parole release determination;
- (5) Any relevant information submitted by or on behalf of the person being considered; and
- (6) Such other relevant information concerning the person as may be reasonably available.

Estimated Savings – Since this bill would affect a limited number of offenders, LSA used an annual cost of \$12,775 per offender to represent any potential savings. Since DOC adult facilities are generally at full capacity, a percentage of offenders are confined in county jails for part or all of their terms of incarceration. DOC pays county sheriffs \$35 per day (annual cost of confinement would be \$12,775) for each offender who is sentenced for a felony. If fewer long-term offenders are in DOC facilities, DOC may be able to transfer more offenders to DOC facilities.

Using the 30 offenders identified who could be eligible for parole, DOC could save as much as \$383,250 if all 30 are released on parole. On January 1, 2013, the average age of these offenders was 64.

| Number of Offenders | | Annual Cost of Confinement in County Jail | | Estimated Avoided Cost for DOC |
|---------------------|---|---|---|--------------------------------|
| 30 | x | \$12,775 | = | \$383,250 |

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues: See *Explanation of State Expenditures*.

State Agencies Affected: Parole Board, Department of Correction.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: DOC Offender Information System.

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